

CA UIC Desk Statement re: July 15th milestones/deliverables

U.S. EPA is continuing its review of California's Division of Oil, Gas and Geothermal Resources' (DOGGR) Class II Underground Injection Control primacy program, including the state's implementation of the Class II UIC program, the identification of Class II injection wells that may be injecting into non-exempt aquifers, the state's ongoing assessment of drinking water sources that may be impacted by improper injection, and the establishment of an effective process for reviewing and approving aquifer exemptions in California. EPA's December 22, 2014, letter directed the state to submit a Program Revision Plan by February 6, 2015. After reviewing the state's plan, and based on further discussion with the state agencies, EPA issued a letter to the state on March 9, 2015 concurring on key aspects of the state's plan and setting out a schedule of activities and deliverables, with target milestones and compliance deadlines to ensure that the state continues to make progress towards full compliance with the Safe Drinking Water Act. The state has promulgated emergency regulations which include deadlines to cease injection where an aquifer exemption has not been approved by EPA.

On July 15, 2015, the state submitted the following information in accordance with the timeframe set forth in EPA's March 9, 2015 California Class II UIC Program Corrective Action Plan Schedule, which required:

- an evaluation of each of the 11 aquifers historically treated as exempt with a preliminary assessment of whether current data would support an aquifer exemption;
- a plan to address closure of injection wells for which the state is not seeking an aquifer exemption; and
- a schedule and plan for comprehensive Class II program improvements.

In addition, EPA set July 15th as a target date for submission of proposed aquifer exemptions to cover wells subjected to the state's shut-in deadline of October 15, 2015. The state did not submit any proposed aquifer exemptions for these wells. EPA requires adequate time to review any proposed exemption to determine whether it satisfies the Safe Drinking Water Act's regulatory requirements. If a determination is not made by October 15, 2015, then as stated by the state's emergency regulations, all injection activity must cease for this category of wells until such a time that an aquifer exemption is approved by EPA. EPA will conduct reviews of proposed aquifer exemptions as they are submitted by the state.

EPA is reviewing the submitted material, which is publicly available on the state's website at: [http://www.conservation.ca.gov/dog/general_information/Pages/UndergroundInjectionControl\(UIC\).aspx](http://www.conservation.ca.gov/dog/general_information/Pages/UndergroundInjectionControl(UIC).aspx). After completing our review over the next few weeks, EPA expects to provide a written response to the state regarding the information it submitted.

EPA will continue our oversight of the state's efforts to ensure that California's Class II UIC program is in compliance with the Safe Drinking Water Act. To access information about EPA's review of CA's UIC program, please visit: <http://www.epa.gov/region9/mediacenter/uic-review/index.html>.